REMARKS

The present Amendment cancels claims 9-19, amends claims 1-5, 7 and 8 and leaves claim 6 unchanged. Therefore, the present application has pending claims 1-8.

Applicants note that the Examiner did not consider the January 27, 2005 Information Disclosure Statement being that the Examiner alleges that a legible copy of the "Data Hiding Based on Neighbor Statistics" reference was not provided. Attached herewith is a copy of the January 27, 2005 Information Disclosure Statement along with a copy of the "Data Hiding Based on Neighbor Statistics" reference for consideration by the Examiner. Further to the extent that the above noted reference is not in the English language, a concise explanation of the relevance of said reference is provided in the passage of the present application beginning on page 2, line 28 through page 3, line 23. An indication that the January 27, 2005 Information Disclosure Statement has been considered is respectfully requested.

Claim 7 stands rejected under 35 USC §101 being that the Examiner alleges that the claim is directed to non-statutory subject matter. Particularly, the Examiner alleges that claim 7 is simply directed to a program for detecting information inserted as a digital watermark from contents, comprising codes for executing. Amendments were made to claim 7 to more clearly recite that the program is stored on a computer readable storage medium and that the program when executed causes a computer to perform various steps. Thus, claim 7 has been amended to be directed to an

article of manufacture in accordance with 35 USC §101. Therefore, claim 7 is now clearly directed to statutory subject matter in accordance with 35 USC §101. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1, 2, 5, 6 and 8 stand rejected under 35 USC §102(e) as being anticipated by Ogino (U.S. Patent No. 6,802,011); and claims 3 and 4 stand rejected under 35 USC §103(a) as being unpatentable over Ogino in view of Walker (U.S. Patent No. 6,785,401). These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 1-6 and 8 are not taught or suggested by Ogino or Walker whether taken individually or in combination with each other as suggested by the Examiner. Accordingly, reconsideration and withdrawal of the above described rejections is respectfully requested.

Amendments were made to each of the claims to more clearly recite that the present invention is directed to a digital watermark information detection method and computer program for detecting information inserted as a digital watermark from contents thereof. According to the present invention, a predetermined format conversion is selected in accordance with format information of the contents and the contents is converted in accordance with the selected format conversion method. Further, according to the present invention attempts are made to detect the inserted information from the converted contents.

Thus, according to the present invention a predetermined format conversion is performed on image when trying to detect a digital watermark from the image. The

present invention recognizes that there are some formats by which an image is often handled and a conversion is performed so as to convert the contents of an image to the often handled format. The present invention saves processing power and time relative to that of conventional apparatus.

The above features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, the above described features of the present invention are not taught or suggested by Ogino. Ogino teaches a method for protecting copyright protection information added to an information signal by electronic watermark processing. Ogino specifically teaches how to avoid some specific signal processings which would make detection of the copyright protection information difficult. According to Ogino, after the copy control information, which is embedded as a digital watermark, is detected from the contents, the post processing applied to the contents are changed depending on the copy control information. According to Ogino some post processing may make detection such as watermark difficult or impossible. Thus, in Ogino the copy control information determines whether or not to perform the format conversion or the special effect processing on the contents thereof. The Examiner's attention is directed to Fig. 1, col. 2, lines 56-64, col. 7, lines 49-59, col. 8, lines 1-47 and col. 9, lines 25-32 and 46-65 of Ogino to understand the above described teachings.

The present invention differs substantially from that taught by Ogino being that according to the present invention the format conversion is performed before the watermark detection process. According to the present invention, if the detection did

not succeed then other format conversion are performed. Such features are clearly not taught or suggested by Ogino.

Therefore, Ogino fails to teach or suggest selecting a predetermined format conversion method in accordance with format information of the contents and converting the contents in accordance with the selected format conversion method as recited in the claims.

Further, Ogino fails to teach or suggest trying to detect the inserted information from the converted contents as recited in the claims.

Therefore, Ogino fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Therefore, reconsideration and withdrawal of the 35 USC §102(e) rejection of claims 1, 2, 5, 6 and 8 as being anticipated by Ogino is respectfully requested.

The above noted deficiencies of Ogino are not supplied by any of the other references of record particularly Walker. Therefore, combining the teachings of Ogino and Walker in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Walker simply teaches a method of synchronizing a watermark decoder with a watermark encoded using a spatio-temporal synchronization pattern added to a data pattern to produce a watermark pattern for embedment into the signal.

Thus, in Walker the method of synchronizing a watermark decoder with a watermark encoder provides that the encoder embeds the watermark (watermark data pattern) and the corresponding synchronization signal (watermark

synchronization pattern) into each frame. As taught by Walker, the decoder can specify the watermark detection starting frame in the successive video frames by the synchronization signal.

Further, as taught by Walker, the watermark synchronization pattern and the corresponding watermark data pattern make a combined first set and that a second set, which is orthogonal to the first set is embedded in each frame in addition to the first set such that the decoder can check for more than one synchronization pattern at the same time. This teaching of Walker is related to hierarchical watermark signature detection.

As per Walker, these different sets have different priorities such that if the synchronization pattern of higher priority is detected, the decoder performs the watermark detection process for the corresponding data pattern. The Examiner's attention is directed to col. 9, line 57 to col. 10, line 27 of Walker to understand the above described teachings.

The present invention as recited in the claims differs substantially from that taught by Walker being that according to the present invention the format conversion on the image contents to detect the watermark is performed. As per the present invention as recited in the claims, which format conversion is effective in the requested process is recorded during the watermark detection process. Thus, as per Walker, the most effective or highly successful format conversion is assigned with the highest priority so that the priority of the format conversion is statistically is determined according to the pass detection results. Such teachings cannot be found in Walker.

Thus, Walker fails to teach or suggest the above described features shown above not to be taught or suggested by Ogino.

Still further, Walker fails to teach or suggest that a plurality of format conversion method are selected in the first step and the format conversion method are assigned with priority in advance and the second steps and the third steps are repeated using one of the format conversion methods in order of the priority as recited in the claims.

Therefore, as is clear from the above, both Ogino and Walker suffer from the same deficiencies relative to the features of the present invention as now more clearly recited in the claims and as such the combination of Ogino and Walker does not render obvious the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 3 and 4 as being unpatentable over Ogino in view of Walker is respectfully requested.

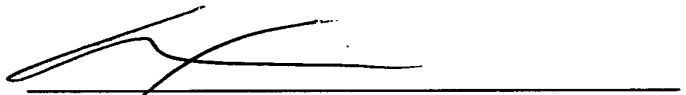
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-6 and 8.

In view of the foregoing amendments and remarks, applicants submit that claims 1-8 are in condition for allowance. Accordingly, early allowance of claims 1-8 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.41219X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 684-1120